IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.27363 of 2008
MOTILAL SINGH & ORS
Versus
STATE OF BIHAR & ANR
---

2. 26.8.08 Mr. Manoj Kumar Ambastha for the petitioners is present. None appears on behalf of the opposite party. This application has been filed for recall of the order dated 8.5.2008, whereby Cr. Misc.No. 4445 of 2008 (Motilal Singh & Ors. V. The State of Bihar & Anr.)was disposed of on merits but in the absence of the learned counsel for the petitioners. While pressing the present application, learned counsel for the petitioners submits that he could not be present on that day for un-avoidable reason and, therefore, the said order dated 8.5.2008 may be recalled and the matter may be re-heard on merits. I regret my inability to accede to the submission. The order dated 8.5.2008 was passed on full consideration of the materials on record, after hearing the learned A.P.P., and on merits.

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This application is accordingly rejected.

(S. K. Katriar, J.)

Vinay/